

**Introduced by Senator Walters**February 19, 2014

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An act to amend Section 1203.065 of the Penal Code, relating to human trafficking.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1085, as introduced, Walters. Human trafficking.

Existing law, except in unusual cases, prohibits the granting of probation to, or the suspension of sentence for, a person who is convicted of specified sex offenses.

Existing law proscribes the crime of human trafficking and imposes punishment including imprisonment in the state prison and specified fines upon a person who is convicted of that crime.

This bill would prohibit the granting of probation to, or the suspension of sentence for, a person who is convicted of human trafficking.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 1203.065 of the Penal Code is amended
- 2 to read:
- 3 1203.065. (a) Notwithstanding any other provision of law,
- 4 probation shall not be granted to, nor shall the execution or
- 5 imposition of sentence be suspended for, any person who is
- 6 convicted of violating *Section 236.1*, paragraph (2) or (6) of
- 7 subdivision (a) of Section 261, Section 264.1, 266h, 266i, 266j,
- 8 or 269, paragraph (2) or (3) of subdivision (c), or subdivision (d),
- 9 of Section 286, ~~paragraph (2) or (3) of subdivision (e), or~~

1 ~~subdivision (d), of Section 288a, Section 288.7, paragraph (2) or~~  
2 ~~(3) of subdivision (c), or subdivision (d), of Section 288a,~~  
3 ~~subdivision (a) of Section 289, or subdivision (b) of Section 311.4.~~  
4 (b) (1) Except in unusual cases where the interests of justice  
5 would best be served if the person is granted probation, probation  
6 shall not be granted to any person who is convicted of violating  
7 paragraph (7) of subdivision (a) of Section 261, subdivision (k) of  
8 Section 286, subdivision (k) of Section 288a, subdivision (g) of  
9 Section 289, or Section 220 for assault with intent to commit a  
10 specified sexual offense.  
11 (2) When probation is granted, the court shall specify on the  
12 record and shall enter on the minutes the circumstances indicating  
13 that the interests of justice would best be served by the disposition.